

20.

JW

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CATHY D. PORTER, Administratrix  
of the Estate of Donald E. Porter,  
Deceased,

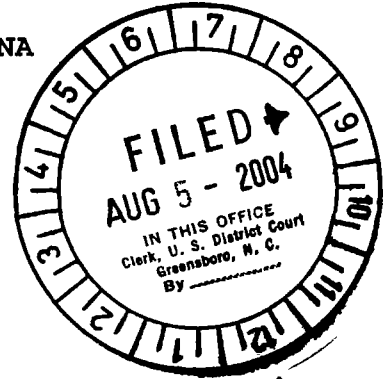
Plaintiff,

v.

JOSEPH GUARINO, M.D., Individually  
and d/b/a PIEDMONT OCCUPATIONAL  
MEDICAL,

Defendant.

1:03CV00748



**J U D G M E N T**

On May 25, 2004, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. No objections were filed within the time limits prescribed by Section 636.

Therefore, the Court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

**IT IS THEREFORE ORDERED AND ADJUDGED** that both sua sponte and pursuant to defendant's motions for sanctions, including dismissal, (docket nos. 13 & 16) this action be, and the same hereby is, dismissed with prejudice pursuant to Fed. R. Civ. P. 37(b)(2)(C) and 41(b).

  
United States District Judge

August 5, 2004